

SLR:ES
F. # 2010R02175

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

FINAL ORDER OF FORFEITURE

- against -

20-CR-153 (JS)

YONG MIN CHOE
also known as “Jason,”
Defendant.

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WHEREAS, on April 29, 2020, YONG MIN CHOE, also known as “Jason” (the “defendant”), entered a plea of guilty to the Sole Count charged in the above captioned Information, charging a violation of **8 U.S.C. § 1324(a)(1)(A)(v)(I)**;

WHEREAS, on April 29, 2020, this Court entered a Preliminary Order of Forfeiture (“Preliminary Order”) pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure, finding that all right, title and interest in the following items:

- (a) any and all funds on deposit in AXA Advisor account number 3701-2630, held in the name of PTC CUST SEP IRA FBO Yong Min Choe, in the sum of approximately two hundred sixty-four thousand thirty-one dollars and forty-eight cents (\$264,031.48) and all proceeds traceable thereto;
- (b) any and all funds on deposit in New York Life Insurance Company, policy number 46 745 635 held in the name of Jason Yong Min Choe, in the sum of approximately thirty thousand two hundred ten dollars and zero cents (\$30,210.00) and all proceeds traceable thereto;
- (c) any and all funds on deposit in New York Life Insurance Company, policy number 47 836 192 held in the name of Jason Yong Min Choe, in the sum of approximately twenty-four thousand five hundred fifty-nine dollars and fifteen cents (\$24,559.15) and all proceeds traceable thereto;

- (d) any and all funds on deposit in New York Life Insurance Company, policy number 62 906 930, held in the name of Bong Jin Choe, in the sum of approximately fourteen thousand four hundred forty dollars and no cents (\$14,440.00) and all proceeds traceable thereto;
- (e) any and all funds on deposit in New York Life Insurance Company, policy number 49 473 595, held in the name of Jason Yong Min Choe, in the sum of approximately eighteen thousand one hundred ninety dollars and forty-nine cents (\$18,190.49) and all proceeds traceable thereto;
- (f) any and all funds on deposit in Fidelity account number X82734099, held in the name of Yong Min Choe, in the sum of approximately four hundred seventy-six thousand one hundred five dollars and thirty-four cents (\$476,105.34) and all proceeds traceable thereto;
- (g) any and all funds on deposit in AXA Advisor account number 5927-6990, held in the name of PTC CUST IRA FBO Soon Young Yun, in the sum of approximately eight thousand five hundred fifteen dollars and thirty-six cents (\$8,515.36) and all proceeds traceable thereto;
- (h) any and all funds on deposit in Vanguard account number 19457875, held in the name of Yong Min Choe, in the sum of approximately two hundred seventy-five thousand one hundred forty-nine dollars and twenty-four cents (\$275,149.24) and all proceeds traceable thereto;
- (i) any and all funds on deposit in Vanguard account number 49992141, held in the name of Yong Min Choe, in the sum of approximately thirty-seven thousand, nine hundred dollars and eighteen cents (\$37,900.18) and all proceeds traceable thereto;
- (j) any and all funds on deposit in Bank of America account 4830 6195 5151, held in the names of Yong Min Choe, in the sum of approximately two thousand seven hundred sixty-five dollars and thirty-two cents (\$2,765.32) and all proceeds traceable thereto, (items (a) through (j) collectively the, “Forfeited Assets”); and
- (k) the sum of two hundred fifty thousand dollars and zero cents (\$250,000.00) (the “Payment”), which represents the full payment in lieu of the forfeiture of the real property and premises located at 8 Whispering Fields Drive, Northport, New York 11768 (the “Whispering Fields Drive Property”), and which payment shall be made in accordance with paragraph 2 below;

forfeitable to the United States, pursuant to 8 U.S.C. § 1324(b)(1), 18 U.S.C. § 982(a)(6),

and 28 U.S.C. § 2461(c) as property that represents (i) gross proceeds of the defendant's violation of 8 U.S.C. § 1324(a)(1)(A)(v)(I); (ii) property, real or personal, that was used to facilitate or intended to facilitate the commission of such offense; (iii) any conveyance, including any vessel, vehicle or aircraft used in the commission of such offense; and/or (iv) as substitute assets, pursuant to 21 U.S.C. § 853(p) as incorporated by 18 U.S.C. § 982(b)(1);

WHEREAS, legal notice of the forfeiture was published in this district on the official government website, www.forfeiture.gov, for thirty (30) consecutive days beginning May 1, 2020 through and including May 30, 2020 (See Docket No. 16);

WHEREAS, on or about July 1, 2020, the government served via Federal Express, notice to all those persons known to the government who might have an interest in the Forfeited Assets and the Payment (Certificate of Service as to Notice of Potential Third Parties, See Docket No. 17); and

WHEREAS, no third party has filed with the Court any petition or claim in connection with the Forfeited Assets and the Payment, and the time to do so under 21 U.S.C. § 853(n)(2) has expired.

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED and DECREED, that pursuant 8 U.S.C. § 1324(b)(1), 18 U.S.C. §§ 982(a)(6) and 982(b)(1), 21 U.S.C. § 853(p), and 28 U.S.C. § 2461(c), and the Preliminary Order, all right, title and interest in the Forfeited Assets and the Payment are hereby condemned, forfeited, and vested in the United States of America.

IT IS FURTHER ORDERED that the Department of Homeland Security/Immigration Customs Enforcement ("DHS/ICE"), United States Customs and Border Protection ("USCBP") or any duly authorized agents and/or contractors be, and

hereby are, directed to dispose of the Forfeited Assets and the Payment in accordance with all applicable laws and regulations.

IT IS FURTHER ORDERED that the United States District Court for the Eastern District of New York shall retain jurisdiction over this case for the purposes of enforcing the Preliminary Order and this Final Order of Forfeiture and any supplemental orders of forfeiture as may be necessary.

IT IS FURTHER ORDERED that the Clerk of Court shall enter final judgment of forfeiture to the United States in accordance with the terms of this Final Order of Forfeiture and the Preliminary Order, and that the Final Order of Forfeiture shall be made part of the defendants' sentence and included in the judgment of conviction.

IT IS FURTHER ORDERED that the Clerk of the Court shall send by inter-office mail five (5) certified copies of this executed Final Order of Forfeiture to the United States Attorney's Office, 610 Federal Plaza, Central Islip, New York 11722, Attn: Beth Ann Bentley, FSA Law Clerk.

Dated: Central Islip, New York
SEP. 24, 2020

SO ORDERED:

/s/ Joanna Seybert
HONORABLE JOANNA SEYBERT
UNITED STATES CIRCUIT JUDGE
EASTERN DISTRICT OF NEW YORK